UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PATSHA RAMSEY,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 4:15-CV-00776
	)	
ST. CHARLES COUNTY, et al.,	)	
	)	
Defendants.	)	

PLAINTIFFS' RESPONSE TO DEFENDANTS' STATEMENT OF UNCONTROVERTED MATERIAL FACTS AND STATEMENT OF ADDITIONAL UNCONTROVERTED MATERIAL FACTS

PLAINTIFFS' RESPONSE TO DEFENDANTS' STATEMENT OF UNCONTROVERTED FACTS

COME NOW Plaintiff, through her counsel, and for her Response to Defendants' Statement of Uncontroverted Material Facts, hereby state as follows:

1. Admit.
2. Admit.
3. Admit in part, deny in part. Plaintiff admit that this is written in the Departments policy manual. However, Plaintiff's expert Dr. Thomas Shull has testified Defendants do not follow their policy on unnecessary or excessive force. **(Ex. 11, 12 and 13)**
4. Admit in part, deny in part. Plaintiff admit that this is written in the Departments policy manual. However, Plaintiff's expert Dr. Thomas Shull has testified Defendants do not follow their policy on unnecessary or excessive force. **(Ex. 11, 12 and 13)**
5. Admit in part, deny in part. Plaintiff admit that this is written in the Departments policy manual. However, Plaintiff's expert Dr. Thomas Shull has testified Defendants do not follow their policy on unnecessary or excessive force. **(Ex. 11, 12 and 13)**

6. Admit in part, deny in part. Plaintiff admit that this is written in the Departments policy manual. However, Plaintiff's expert Dr. Thomas Shull has testified Defendants do not follow their policy on restraints. **(Ex. 11, 12 and 13.** Evidence from current and former corrections staff at St. Charles County demonstrates use of force at SCCDOC goes beyond what would be considered necessary be a reasonable person and is performed in a malicious or sadistic manner.
7. Admit in part, deny in part. Plaintiff admit that this is written in the Departments policy manual. However, Plaintiff's expert Dr. Thomas Shull has testified Defendants do not follow their policy on restraints. **(Ex. 11, 12 and 13)**
8. Admit in part, deny in part. Plaintiff's expert Dr. Thomas Shull has given testimony on reported incidents where restraining devices or methods were used as punishment on Patsha Ramsey. **(Ex. 11, 12 and 13)**
9. Admit in part, deny in part. Plaintiff admit that this is written in the Departments policy manual. However, Plaintiff's expert Dr. Thomas Shull has testified Defendants do not follow their policy restraints. **(Ex. 11, 12 and 13).** Evidence from current and former corrections staff at St. Charles County demonstrates restraint devices are used for more time than absolutely necessary.
10. Admit in part, deny in part. Plaintiff admit that this is written in the Departments policy manual. However, Plaintiff's expert Dr. Thomas Shull has testified Defendants do not follow their policy on the use of OC spray. **(Ex. 11, 12 and 13**).
11. Admit in part, deny in part. Plaintiff's expert Dr. Thomas Shull has given testimony on reported incidents where OC spray was used as punishment on Patsha Ramsey. **(Ex. 11, 12 and 13)**

12. Admit in part, deny in part. Plaintiff admit that this is written in the Departments policy manual. However, Plaintiff's expert Dr. Thomas Shull has testified Defendants do not follow their policy on the use of OC spray. **(Ex. 11, 12 and 13)**
13. Admit.
14. Admit in part, Deny in part. The administrative policy set forth instructing Patsha Ramsey to be chained to the table for extended periods of time is unconstitutional.
15. Admit.
16. Admit.
17. Admit.
18. Admit.
19. Admit in part, deny in part. It is unclear what is meant by "disciplinary reasons".
20. Deny. There is no evidence Defendant Crawford ended his instruction to chain Patsha to the table. Crawford testified he never verbally instructed staff nor did he issue any written memorandum to instruct staff to no longer chain Patsha to the table.
21. Plaintiff is without sufficient knowledge to admit or deny.
22. Plaintiff is without sufficient knowledge to admit or deny.
23. Plaintiff is without sufficient knowledge to admit or deny.
24. Plaintiff is without sufficient knowledge to admit or deny.
25. Plaintiff is without sufficient knowledge to admit or deny.
26. Admit.
27. Deny. The nurse is not a medical expert and this is inadmissible.

PLAINTIFF'S STATEMENT OF ADDITIONAL UNCONTROVERTED MATERIAL FACTS

28. The Plaintiff, Patsha Ramsey, suffered from various psychological disorders and the Defendant was aware that she had a long standing history of mental problems (**Ex. 1 – Echele Depo, p.22**).

29. The Defendants arrested Patsha Ramsey at Center Pointe Hospital, a known mental health treatment facility, and transported her from the mental health hospital where she was receiving treatment, to the St. Charles County Jail (**Ex. 1 – Echele Dep, p. 22**).

30. Larry Crawford is the highest ranking official at the St. Charles County Jail and the person ultimately responsible for setting and overseeing the St. Charles County Jail policies, procedures and daily operations (**Ex. 2 - Crawford Depo, Page 8; p. 20-25 with Ex. 2 from deposition**).

31. It was well known amongst the St. Charles County Jail personnel that the Plaintiff Patsha Ramsey was a problem inmate and Larry Crawford had a discussion with the medical staff and his Assistant Director, Capt. Vaughn, in which he made the decision to issue a directive that Patsha Ramsey be chained to a table whenever she was not in her cell. (**Ex. 3- Crawford Depo, p. 92-105).**

32. On April 19, 2013, a directive was issued under the signature of Capt. Vincent Vaughn and the authority and direction of Larry Crawford instructing staff to chain Patsha Ramsey to the table in the dayroom until further notice. (**Ex. 4).**

33. Larry Crawford did not recall there being any time restrictions on the frequency or length of time Patsha Ramsey would be chained to the table (**Exh. 3 - Crawford Depo, p. 98-99)**.

34. Director Larry Crawford intended the chaining of Patsha Ramsey to the table to be a form of discipline (**Ex. 3 - Crawford Depo, p. 92-93**)

35. Correctional Officer, John Pounds, who when deposed was a current employee of the St. Charles County Jail, testified that Patsha Ramsey would be chained to the table in the common area of Pod B for 24 hours a day for at least a full week and let off the chain only to use the bathroom (**Ex. 5 - Pounds Depo, p. 44-51)**.

36. St. Louis County Correctional Officer, Tracy Leslie, testified that Patsha Ramsey was chained to the table on a 24 hour basis for as long as two weeks (**Ex. 6 - Leslie Depo, p. 34-36**).

37. Correctional Officer, John Pounds, had voiced concerns to other correctional officers and his superiors about having Patsha Ramsey chained to the table because it struck him as degrading and inappropriate. (**Ex. 5 - Pounds Depo, p. 49-50)**

38. Correctional Officer, Tracy Leslie, stated in her deposition that there was talk among the correction officers about this practice and that many correction officers disagreed and questioned whether it was appropriate to keep a prisoner chained to the table for such lengths of time, but they ultimately followed the orders issued by Director Crawford and Capt. Vaughn. **Ex. 6 - Leslie Depo, p. 41-46)**

39. Correctional Officer, Tracy Leslie, recalls Patsha Ramsey making comments while she was chained to the table that it made her feel like she was being "chained like a dog". (**Ex. 6 - Leslie Depo, p. 41-46)**

40. Correctional Officer, Lisa Glenn, testified that she disapproved of and was concerned about the practice of chaining Patsha Ramsey to a table. (**Ex. 7, Glenn Depo, p. 75-76**).

41. Correctional Officer, Michael Johnson, testified that he was shocked and highly concerned when he saw Ms. Ramsey being chained to the table for such long periods of time. He stated that in 30 years as a correctional officer he has never seen such a practice and compared it to "turn of the century stuff". (**Ex. 8 - Johnson Depo, p. 75-82**).

42. Defendant, Larry Crawford, failed to instruct his staff, either verbally or in writing, to terminate the original directive to keep Patsha Ramsey chained to the table. (**Ex. 3 – Crawford Depo, p. 103-105**).

43. Correctional Officer, Lisa Glenn, testified in her deposition that she also had concerns over the practice of chaining Patsha Ramsey to a table for prolonged periods of time and discussed these concerns with her superior, Corporal Post. When she asked Corporal Post how long this post would continue, Corporal Post responded that it would continue so long as they had the direct orders from administration. **Ex. 7 - Glenn Depo, p. 75-76**).

44. While an inmate at the St. Charles County Jail, Patsha Ramsey submitted over 80 inmate concern forms to Defendant, Larry Crawford, and wrote over 30 handwritten letters to Defendant, Larry Crawford. Director Crawford testified that he did not review more than 10 letters from Patsha Ramsey (**Ex. 9 - Crawford Depo, p. 111**).

45. St. Charles County is the named insured under a policy of insurance with $1,000,000.00 in general liability coverage per occurrence. The coverage for this

policy includes all sums in excess of the self-insured retention limit that the insured incurs or becomes legally obligated to pay as damages because of, inter alia, "bodily injury" (**Ex. 10**).

46. Dr. Thomas Shull, Plaintiff's jail practices expert, has prepared a detailed report and an addendum to the report outlining his criticisms and the due process violations of the St. Charles County Jail. The reports and their contents are hereby incorporated by reference and attached as **Ex. 11 and 12.**

47. Dr. Shull has identified three separate incidents where the use of the restraints on Patsha Ramsey violated the St. Charles County's own internal policies (**Ex. 13 - Shull Depo, p. 21-76**).

48. Correctional Officer, Michael Johnson, testified to two incidents he personally witnessed in which she was tied naked and spread eagle into the chair (**Ex. 14 - Johnson Depo, p. 45-63**).

49. Patsha Ramsey was encouraged by the correctional officers watching over her to masturbate for them and instructed on how and where she could do it without detection (**Ex. 14 - Johnson Depo, p. 62-70**).

50. Correctional Officer, Michael Johnson, was terminated from the St. Charles County Correctional Center for having a sexual relationship with Patsha Ramsey after she was released from the jail (**Ex. 15, Johnson Depo, p. 91-103**).

51. When an inmate on the suicide unit is under "constant observation", jail staff must be within five feet of the inmate and have direct line of sight to her at all times (**Ex. 16 - Echele Depo, p. 43-44**).

52. On September 19, 2013, Patsha Ramsey was transferred to St. Joseph Hospital from St. Charles County and her medical records document ligature marks to her ankle. The medical records state Ms. Ramsey claims the wound was caused by restraints used in the jail (**Ex. 17**).

DEVEREAUX, STOKES,
FERNANDEZ & LEONARD, P.C.

/g/ Gonzalo Fernandez

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Certificate of Service

I hereby certify that on the 31st day of March, 2017, the foregoing was filed electronically with the Clerk of the Court to be served upon all parties by operation of the Court's electronic filing system.

/g/ Gonzalo Fernandez

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GONZALO FERNANDEZ